

Appln No. 10/589,834
Amdt date February 4, 2009
Reply to Office action of October 8, 2008

Amendments to the Drawings:

The attached 4 sheets of annotated drawings includes changes to FIGs. 2, 4, 6(1) to (3), 12 and 13. The 4 replacement sheets, which includes FIGs. 1-4, 6(1) to (3), 12 and 13, replaces the original sheet including FIGs. 1-4, 6(1) to (3), 12 and 13.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

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REMARKS/ARGUMENTS

Claims 1-11 are pending. Claims 1, 9, and 10 are amended.

The drawings are amended to label FIGs. 2, 4 and 6(1) to 6(3), 12 and 13 as "Prior Art."

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Inatani et al. (U.S. 5,970,041). Applicant submits that all of the claims currently under examination in this application are patentably distinguishable over the cited references for the following reasons, and reconsideration and allowance of this application are respectfully requested.

Amended independent claim 1 includes, among other limitations, "an elevator mechanism configured to raise or lower said plurality of disc holding members to an insertion position for insertion of said splitting member therebetween and to lower a first portion of said disc holding members positioned below said insertion position to enable insertion of a playback part while not moving a second portion of said disc holding members positioned above said insertion position." Inatani does not teach the above limitation.

First, Inatani does not disclose "an elevator mechanism configured to raise or lower said plurality of disc holding members." Rather, in Inatani, the disc driver 24 is rotated by a cam tube 14. (Col. 6, lines 20-25; lines 34-40; and FIG. 1). Therefore, the cited cam 14 of Inatani is NOT "configured to raise or lower said plurality of disc holding members."

Second, the cited cam 14 of Inatani is NOT configured to "lower a first portion of said disc holding members positioned below said insertion position to enable insertion of a playback part while not moving a second portion of said disc holding members positioned above said insertion position." Rather, in Inatani, a pair of projections 119 (the alleged claimed splitters) split apart a first gap between the target disc and a first adjacent disc thereto and a second gap between the target disc and the first adjacent disc thereto to take out the target disc by the pair of projections 119. There is not teaching in Inatani about "lowering a first portion of said disc holding members positioned below said insertion position to enable insertion of a playback part while not moving a second portion of said disc holding members positioned above said insertion position."

As a result, amended claim 1 is not anticipated by Inatani and therefore is patentable in view of the cited references.

Amended independent claim 9 includes, among other limitations, "a table seat member for supporting said plurality of disc holding members," "an elevator mechanism configured to raise or lower said table seat member," and "said elevator mechanism further configured to lower said table seat member after said splitting member is inserted into said disc holding members, while the splitting member keeps a portion of the plurality of disc holding members positioned above the splitting member from moving down." Inatani does not teach the above limitation.

First, Inatani does not disclose "an elevator mechanism configured to raise or lower said table seat member." Rather, in Inatani, the disc driver 24 is rotated by a cam tube 14, as explained above.

Second, Inatani does not teach "a table seat member for supporting said plurality of disc holding members." The Examiner cites the disk table 30 as the claimed table seat member. Applicant respectfully disagrees. The cited disk table 30 of Inatani does not support the alleged disc holding members 117, as shown in FIGs. 1, and 7-9. Rather, the cited disk table 30 is used to hold the optical disc 201, and not the alleged disc holding members 117. (Col. 5, lines 56-61).

Third, Inatani does not teach "said elevator mechanism further configured to lower said table seat member after said splitting member is inserted into said disc holding members, while the splitting member keeps a portion of the plurality of disc holding members positioned above the splitting member from moving down." Rather, in Inatani, a pair of projections 119 (the alleged claimed splitting member) split apart a first gap between the target disc and a first adjacent disc thereto and a second gap between the target disc and the first adjacent disc thereto to take out the target disc by the pair of projections 119.

Accordingly, amended claim 9 is not anticipated by Inatani either and therefore is also patentable in view of the cited references.

Amended independent claim 10 includes, among other limitations, "a table seat member for supporting said plurality of disc holding members," "an elevator mechanism configured to raise or lower said table seat member," and "said elevator mechanism further configured to lower

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said table seat member after said splitting member is inserted into said disc holding members to form a separate space by separating said disc holding members into first disc holding members supported by said splitting member and second disc holding members supported by said table seat member." Inatani does not disclose the above limitation.

First, Inatani does not teach "an elevator mechanism configured to raise or lower said table seat member," as explained above.

Second, Inatani does not teach "a table seat member for supporting said plurality of disc holding members," as explained above.

Third, Inatani does not teach "aid elevator mechanism further configured to lower said table seat member after said splitting member is inserted into said disc holding members to form a separate space by separating said disc holding members into first disc holding members supported by said splitting member and second disc holding members supported by said table seat member." Rather, in Inatani, a pair of projections 119 (the alleged claimed splitting member) split apart a first gap between the target disc and a first adjacent disc thereto and a second gap between the target disc and the first adjacent disc thereto to take out the target disc by the pair of projections 119.


Consequently, amended claim 10 is not anticipated by Inatani either and therefore is also patentable in view of the cited references.

Dependent claims 2-8, and 11 are dependent from allowable independent claims 1 9, and 10 and therefore include all the limitations of their base claim and additional limitations therein. Accordingly, these claims are also allowable over the cited references, as being dependent from the allowable independent claims 1 9, and 10, and for the additional limitations they include therein.

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In view of the foregoing amendments and remarks, it is respectfully submitted that this application is now in condition for allowance, and accordingly, reconsideration and allowance are respectfully requested.

Respectfully submitted,
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